



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 00-1133)

Application of: )  
Fijolek et al. )  
Serial No.: 09/722,980 ) Group Art Unit: 2666  
Filed: November 27, 2000 ) Examiner: Frank Duong  
For: System and Method for Automatic Load )  
Balancing in a Data-Over-Cable Network )

**RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION AND  
SUBMISSION OF SUBSTITUTE DRAWING SHEET**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is submitted in response to the Notice of Drawing Inconsistency with Specification, mailed on June 6, 2005. The Notice states that Figure 19A is listed in the Brief Description of the Drawings but not contained in the drawings. The Notice also states that Figure 19 is contained in the Drawings but is not listed in the Brief Description of Drawings. In response, Applicants are submitting herewith a substitute drawing designated "Figure 19A" to replace the current drawing sheet that is designated "Figure 19." This substitute drawing corrects the inconsistency pointed out in the Notice and places the application in condition for issuance.

Respectfully Submitted,

**McDonnell Boehnen Hulbert & Berghoff LLP**

Date: July 6, 2005

By:

Paul W. Churilla  
Paul W. Churilla  
Reg. No. 47,495



# FILE COPY

## UNITED STATES PATENT AND TRADEMARK OFFICE (Case No. 00-1133)

In the Application of: )  
Jack Fijolek et al. )  
Serial No.: 09/722,890 *980* )  
Filed: November 27, 2000 )  
For: System and Method for Automatic Load )  
Balancing in a Data-Over-Cable Network )

Examiner: Frank Doung  
Group Art Unit: 2666

### TRANSMITTAL LETTER

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In regard to the above-identified patent application:

1. We are transmitting herewith the attached:
  1. Response to Notice of Drawing Inconsistency with Specification and Submission of Substitute Drawing Sheet
  2. Figure 19A
  3. Return Postcard
2. With respect to additional fees:
  - A.  No additional fee is required.
  - B.  Attached is a check in the amount of \$.
  - C.  Charge the total additional fee to Deposit Account No. 13-2490.
3. Please charge any additional fees or credit overpayments to the Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE UNDER 37 CFR 1.8 (FIRST CLASS MAIL): The undersigned hereby certifies that this Transmittal Letter and the document(s) as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6 day of July 2005..

By:

*Paul W. Churilla*  
Paul W. Churilla  
Reg. No. 47,495

# FILE COPY

Commissioner for  
Patents

S/N: 09/722,980

Atty PWC

Re: Applicant -Fijolek et al.

Case No. 00-1133

Filed: 11/27/00

"System and Method for Automatic Load Balancing in a Data-Over-Cable  
Network"

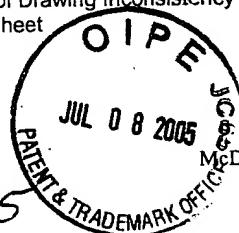
Sir: Please place the Patent Office receipt stamp hereon and mail to acknowledge  
receipt of:

- Transmittal Letter in duplicate
- Response to Notice of Drawing Inconsistency with Specification and Submission of  
Substitute Drawing Sheet
- Figure 19A

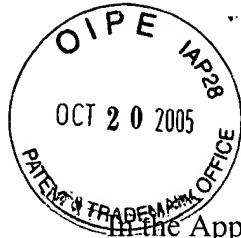
Fee Enclosed

\$0

Mailed: 07-06-05



Respectfully,  
McDonnell Boehnen Hulbert & Berghoff LLP  
Attorney for Applicant



10-24-05

2666

UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 00-1133)

In the Application of: )  
Jack Fijolek et al. )  
Serial No.: 09/722,980 )  
Filed: November 27, 2000 )  
For: System and Method for Automatic Load )  
Balancing in a Data-Over-Cable Network )

Examiner: Frank Doung  
Group Art Unit: 2666

**TRANSMITTAL LETTER**

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In regard to the above-identified patent application:

1. We are transmitting herewith the attached:

1. Petition Under 37 C.F.R. § 1.181 to Withdraw Holding of Abandonment
2. Copy of original stamped Return Receipt Postcard
3. Copy of original Transmittal Letter with certificate of mailing, with error in serial number noted
4. Copy of original Response to Notice of Drawing Inconsistency with Specification and Submission of Substitute Drawing Sheet
5. Substitute drawing sheet
6. Return Postcard

2. With respect to additional fees:

- A.  No additional fee is required.
- B.  Attached is a check in the amount of \$.
- C.  Charge the total additional fee to Deposit Account No. 13-2490.

3. Please charge any additional fees or credit overpayments to the Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. **CERTIFICATE UNDER 37 CFR § 1.10 (EXPRESS MAIL):** The undersigned hereby certifies that this Transmittal Letter and the documents hereinabove listed are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee", Express Mail No. ED982567143US in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20 day of October 2005.

By:

  
Paul W. Churilla  
Reg. No. 47,495